

33534
SEC

SERVICE DATE - LATE RELEASE APRIL 14, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34330

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
— ACQUISITION AND OPERATION EXEMPTION —
MONTANA WESTERN RAILWAY COMPANY, INC.

Decided: April 14, 2003

By petition filed on March 25, 2003, The Burlington Northern and Santa Fe Railway Company (BNSF) seeks an exemption pursuant to 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 to acquire the interest of the current operator and to operate a 52-mile line of railroad extending from Garrison to Butte, MT (the line). The current operator is Montana Western Railway Company, Inc., a Class III carrier and lessee of the line, which is owned by the Oregon Short Line Railroad, a subsidiary of Union Pacific Railroad Company (UP). BNSF requested expedited handling of its petition. Replies were due on April 14, 2003. By decision served on April 11, 2003, UP was given until May 5, 2003, to file its reply.

By letter filed on April 14, 2003, the Louisiana-Pacific Corporation (LPC), a shipper on the line, requests a 30-day extension of the April 14 deadline to file its reply. LPC states that it needs more time to gain a better understanding from BNSF and UP of the consequences of this transaction. The deadline for LPC's reply will be extended as requested until May 14, 2003.

It is ordered:

1. The deadline for LPC to file its reply is extended to May 14, 2003.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary